

1           Q     With respect to the treatment of access  
2 charges on Page 41, this is the first paragraph  
3 under the heading, Commission Conclusion.  
4 Ameritech is simply not entitled to continue to  
5 collect interstate access charges since it is not  
6 providing access to the end user through unbundled  
7 local switching.

8                     Has your unbundled local switching  
9 element, as you have described it in your  
10 testimony, corrected this problem?

11           A     Our unbundled local switching element  
12 allows a carrier to provide access, a ULS carrier,  
13 purchasing carrier, to provide access over a  
14 separate trunk port. And in that case Ameritech  
15 would not attempt to charge any access for that  
16 facility.

17                     The situation or the debate comes  
18 when a long distance company has come to  
19 Ameritech, purchases its equal access service and  
20 uses that service to complete a call to that  
21 switch and that switch contains some unbundled  
22 local switching ports. That's where the debate is

1 centered.

2 Q Would you agree that under some  
3 circumstances, however, that interexchange  
4 carriers might pay access charges originating  
5 and/or terminating to Ameritech in connection with  
6 an end user that's served by an unbundled local  
7 switching element?

8 A In some circumstances they would and in  
9 other circumstances they wouldn't. The  
10 circumstances described by Mr. Gasparin in his  
11 testimony where it was routed over the access  
12 services provided by the ULS customer, there would  
13 be no access charges by Ameritech.

14 MS. OLIVER: I have no further questions.

15 MR. JANUS: No further questions.

16 JUDGE GUERRA: Thank you. The witness  
17 excused.

18

19

20

21

22

1 JUDGE GUERRA: Let's go back on the record.

2 MS. SUNDERLAND: You want to swear him in.

3 (Witness sworn.)

4 ROBERT MEIXNER,

5 called as a witness herein, having been first

6 duly sworn, was examined and testified as

7 follows:

8 DIRECT EXAMINATION

9 BY

10 MS. SUNDERLAND:

11 Q Would you please state your name and  
12 business address for the record.

13 A My name is Robert Meixner, and my business  
14 address 33 West Monroe in Chicago, Illinois.

15 Q I'm handing you what's been marked  
16 Ameritech Illinois Exhibit 11.0 entitled Direct  
17 Testimony of Robert H. Meixner and Ameritech  
18 Illinois Exhibit 11.1 entitled Supplemental  
19 Rebuttal Testimony of Robert H. Meixner. Do you  
20 have any changes or corrections that you want to  
21 make to this testimony?

22 A Yes. I have two changes on Page 2. The

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1 end of the first paragraph in the italics, the  
2 two publications. Systems Integrator should be  
3 changed to Super Computing Review. And Billing  
4 World should be changed to Communications  
5 International.

6 MS. SUNDERLAND: We have not made those in  
7 the record copies, but tomorrow morning we'll  
8 bring corrected pages.

9 JUDGE GUERRA: That's fine.

10 BY MS. SUNDERLAND:

11 Q Subject to those two changes, if I were to  
12 ask you the questions in this testimony orally  
13 here today, would your answers be the same?

14 A Yes.

15 MS. SUNDERLAND: I would move for admission  
16 of Ameritech Illinois Exhibit 11.0 and 11.1 and  
17 make Mr. Meixner available for cross  
18 examination.

19 JUDGE GUERRA: Any objection? Let the record  
20 reflect Ameritech Illinois Exhibits 11.0 and 11.1  
21 are admitted subject to cross.  
22

1 (Whereupon, Ameritech  
2 Exhibit Nos. 11.0 and 11.1 were  
3 admitted into evidence  
4 as of this date.)

5 JUDGE GUERRA: Cross?

6 MS. MARSH: I'll start.

7 CROSS EXAMINATION

8 BY

9 MS. MARSH:

10 Q Good afternoon, Mr. Meixner.

11 A Good afternoon.

12 Q My name is Joan Marsh and I work for  
13 AT&T. I have a few questions for you.

14 I understand you are a partner with  
15 Anderson Consultants; is that correct?

16 A That's correct.

17 Q How long have you been a partner with  
18 Anderson?

19 A Since 1984.

20 Q In what portion of your career with  
21 Anderson have you devoted to establishing or  
22 developing expertise in the systems world?

1           A    Pretty much my entire career since 1973.

2           Q    How long have you been providing support  
3 or consulting service to telecommunications  
4 companies?

5           A    Since 1982.

6           Q    Have you ever provided an opinion on the  
7 operational readiness of systems being made  
8 available in connection with the  
9 Telecommunications Act of 1996 prior to your  
10 opinions in this docket?

11          A    No.

12          Q    Have you ever consulted with any  
13 telecommunications provider prior to your work in  
14 this docket on systems being made available in  
15 connection with obligations under the  
16 Telecommunications Act?

17          A    No.

18          Q    Can you describe for me the scope of your  
19 engagement in connection with this docket.

20          A    Yes. Our engagement covered three areas.

21                First was the Ameritech's ordering  
22 guides to cover the ordering of their resale and

1 unbundled products.

2 Secondly was a capacity review, both  
3 manual and computer, of the OSS interfaces.

4 And finally was an assessment of the  
5 testing or so-called operational readiness of the  
6 Ameritech OSS systems, the interface systems.

7 Q Is it your opinion in this docket that  
8 Ameritech's OSS are in compliance with their  
9 obligation under the Telecommunications Act?

10 MS. SUNDERLAND: I'm going to object to the  
11 extent she's calling for a legal conclusion.

12 MS. MARSH: Well, I understood that Mr.  
13 Meixner was here to provide us with his opinions  
14 regarding Ameritech's compliance with the  
15 Telecommunications Act. So I need to understand  
16 if that is indeed his opinion and understand what  
17 he believes that means.

18 MS. SUNDERLAND: He has certainly testified  
19 as to the operational readiness. And as long as  
20 it's understood that he is not a lawyer and is in  
21 a position to make a legal conclusion, I don't --  
22 I can withdraw my objection.

1 BY MS. MARSH:

2 Q Well, let me ask you this.

3 Will you be offering any opinions as  
4 to whether Ameritech's OSS complies with the  
5 obligation of Ameritech under the  
6 Telecommunications Act?

7 A You know, again, I am not a lawyer. I  
8 looked at the OSS systems from the extent are  
9 they usable by submitting carriers and can they  
10 build to the specs. That's what I based my  
11 opinion on.

12 Q And to me that question is distinct from  
13 compliance with the act. So I'm trying to  
14 understand how far your opinions reach.

15 Will you be rendering opinions as to  
16 whether the systems are in compliance with the  
17 Telecommunications Act?

18 A I don't believe I can.

19 Q Have you reviewed the Telecommunications  
20 Act in connection with your work in this docket?

21 A I have reviewed it. I can't say I fully  
22 understand.



1           Q   Do you have any understanding of the  
2 standards which are imposed upon Ameritech in  
3 connection with its provision of operation  
4 support systems to CLECs?

5           A   I have my understanding of the  
6 requirements, yes.

7           Q   Can you share with me what your  
8 understanding of those requirements are.

9           A   That the companies that are wishing to  
10 gain, you know, approval for their OSS systems  
11 make their access to their OSS functions and  
12 features available to competing carriers on a  
13 comparable basis as they would to their own  
14 retail unit. Sums it up at the highest level.

15          Q   And if I understand your testimony, you  
16 will not be rendering any opinion as to whether  
17 that obligation has been met or not?

18          A   Well, you asked me before what my opinion  
19 was with respect to the Telecom Act. And what I  
20 just gave you is my understanding of what I  
21 reviewed it to. I don't know if those two things  
22 are equal.

1           Q   Using your understanding of the standards  
2           that are being imposed upon Ameritech, will you  
3           be rendering any opinion as to whether Ameritech  
4           has met those obligations?

5           A   Yeah. Based on what I just said my  
6           understanding is, yes, I believe I have rendered  
7           an opinion that they do meet those.

8           Q   Now, I believe you said you understood  
9           that the access would have to be made available  
10          in a like manner as Ameritech provides to its own  
11          retail units; is that correct?

12          A   In a like manner, yes.

13          Q   And in reviewing or doing your review for  
14          this docket, can you provide me with an  
15          additional explanation what you mean by that  
16          phrase, like manner?

17          A   Well, the CLECs would have to have  
18          availability to the same features and functions  
19          that Ameritech would have availability to, and  
20          that they would be able to serve their customers  
21          so that they would not be disadvantaged vis-a-vis  
22          the Ameritech retail side of the business.

1           Q   And do you believe that Ameritech systems  
2           in their current state of readiness meet that  
3           standard?

4           A   I believe that the OSS interfaces meet  
5           that standard, yes, yes.

6           Q   Can you provide me with your definition of  
7           operational readiness?

8           A   Sure. In this case, I assessed  
9           operational readiness as sufficient testing, be  
10          that internal testing or testing with other  
11          carriers, to show that the systems perform, the  
12          OSS interfaces perform according to their design  
13          specifications; that is they process orders and  
14          preordering functions as designed. And if a CLEC  
15          submitted an order in accordance with those  
16          specifications, then it would indeed fulfill the  
17          business purposes through the interface.

18          Q   Now, as I understand, the scope of your  
19          engagement was to do an independent review of  
20          Ameritech's systems; is that correct?

21          A   Yes.

22          Q   Can you tell me as it relates to practices

1 and procedures at Anderson Consulting what does  
2 it mean to perform an independent review?

3 A Well, it's nothing magic that we have  
4 defined as an independent review. In my mind, an  
5 independent review is a review performed by  
6 someone that's not directly affiliated with the  
7 company. It would be a third party, an outsider.

8 Q In performing an independent review, do  
9 you have any opinion as to who should determine  
10 the scope of the documents or data reviewed?

11 A Well, it would be a joint -- jointly  
12 determined between Anderson and our client as far  
13 as what the scope of the work would be.

14 Q Would you agree with me that to the extent  
15 that Anderson deemed it important to review any  
16 particular set of documents or data, that  
17 Anderson would request that material from  
18 Ameritech?

19 A If there's something we felt we needed to  
20 review to come to our conclusions and we knew,  
21 you know, that the material existed and was  
22 available, yes.

1 Q Would you also agree with me that it's  
2 important in conducting an independent review  
3 that the reviewer reach independent results that  
4 are supported by the data that's been reviewed?

5 A As opposed to?

6 Q As opposed to results perhaps imposed by  
7 the client.

8 A Yeah. I mean, there's a fine line  
9 obviously because you're dependent on the client  
10 for providing the data. But to the extent  
11 possible, you should make sure that it's  
12 independent.

13 Q Let me hand you what we will mark as AT&T  
14 Cross Exhibit 16.

15 (Whereupon, AT&T Cross  
16 Exhibit No. 16 was  
17 marked for identification,  
18 as of this date.)

19 BY MS. MARSH:

20 Q Mr. Meixner, can you identify Exhibit 16?

21 A Yes.

22 Q What is that?

1           A   That's a list of the Anderson personnel  
2           that were involved in the review.

3           Q   By my count, that list includes 34  
4           separate individuals; is that correct?

5           A   I'm not going to count them, but I'll take  
6           your word for it.

7           Q   Also, I count seven Anderson consulting  
8           partners; is that correct?

9           A   I don't think so. I think I'm the only  
10          Anderson consultant. Wait. Some of those -- you  
11          have to look at the middle column, the  
12          designation. There's an Arthur Anderson group as  
13          well. So there are some Arthur Anderson partners  
14          in there as well.

15          Q   Okay. For purposes of our discussion here  
16          today, would it be appropriate for my references  
17          to Anderson Consulting to be both to Anderson  
18          Consulting and Arthur Anderson for ease of our  
19          discussion?

20          A   Yeah, for ease of the discussion. It may  
21          or may not be appropriate depending on the  
22          context, but we can go with that.

1 Q Okay.

2 Then by my count, this list includes  
3 seven Anderson partners; is that correct? And I  
4 include in that the associate partner that's  
5 identified.

6 A Seven. Okay.

7 Q By my account, this list includes nine  
8 experienced consultants; is that correct?

9 A That's right.

10 Q And also two experienced analysts; is that  
11 correct?

12 A It looks right.

13 Q What distinguishes an experienced  
14 consultant or analyst from just a consultant or  
15 analyst?

16 A Well, it's just an internal position. As  
17 people move through their careers at Anderson,  
18 they pass through various stages. And an  
19 experienced consultant or analyst would have more  
20 years of experience than one that wasn't  
21 experienced.

22 Q Can you -- I'm sorry.

1           A   And so on. For managers, associate  
2 partners, and partners.

3           Q   Can you tell me, if you know,  
4 approximately how many cumulative hours were  
5 invested by these 34 individuals in their review  
6 of Ameritech's operation support systems?

7           A   It was about 430 or 440 workdays. So you  
8 multiple by eight to get hours.

9           Q   440 workdays?

10          A   Right.

11          Q   My math is not very good, but my quick  
12 calculations suggest that that's in excess of  
13 35,000 work hours?

14          A   Sounds about right.

15          Q   I'm sorry, 3500. 3500. I indicated my  
16 math is not very good.

17                   Let me hand you what I will mark  
18 Exhibit No. 17.

19          JUDGE GUERRA: Off the record for just a  
20 brief second.

21                               (Discussion off the record.)  
22



1 (Whereupon, AT&T Cross  
2 Exhibit No. 17 was  
3 marked for identification,  
4 as of this date.)  
5 BY MS. MARSH:  
6 Q Mr. Meixner, can you identify what I've  
7 marked as AT&T Cross 17.  
8 A Yes.  
9 Q What is that?  
10 A It's Page 2 of our work plan.  
11 Q Page 2?  
12 A That's what it says at the bottom, yes.  
13 Q Oh, I'm sorry. I meant to give you Page 1  
14 and 2.  
15 MS. SUNDERLAND: I guess you gave me two  
16 pages, and I assumed they were one for him and  
17 one for me. Can we have another set?  
18 BY MS. MARSH:  
19 Q I'm sorry. Can you identify for me AT&T  
20 Cross Exhibit No. 17.  
21 A Yes. This is our work plan.  
22 Q And again, by my count, that indicates

1 over 50 separate Anderson Consulting tasks that  
2 were entailed in the review of Ameritech's  
3 systems; is that correct?

4 A Okay.

5 Q And is this an accurate depiction of all  
6 the tasks that Anderson undertook in connection  
7 with its review in this docket?

8 A Yeah. I believe this was performed at the  
9 beginning of the project, produced at the  
10 beginning. And as we go through projects,  
11 sometimes we add or delete things. But this is  
12 pretty accurate, I would say.

13 Q What day was Anderson retained to conduct  
14 this review?

15 A Officially I think we started on March  
16 7th, if I remember.

17 Q And according to Cross Exhibit 17, it  
18 looks like at least operational readiness, the  
19 actual review process started on March 13th; is  
20 that correct?

21 A Yes. Before that, I believe, was spent  
22 just figuring out what we needed to look at

1       there, that's right.

2               Q   I'm going to hand you a document that was  
3       produced in discovery that I will mark AT&T Cross  
4       Exhibit No. 18.

5                               (Whereupon, AT&T Cross  
6                               Exhibit No. 18 was  
7                               marked for identification,  
8                               as of this date.)

9               MS. SUNDERLAND:  There is a privileged and  
10       confidential designator on this which we are not  
11       asserting.

12       BY MS. MARSH:

13               Q   Mr. Meixner, can you identify what we've  
14       marked as Exhibit No. 18.

15               A   Yeah.  This is an outline that we use for  
16       one of our status discussions.

17               Q   And this status discussion was dated March  
18       12th; correct?

19               A   That's right.

20               Q   And that was the day before Anderson  
21       commenced its actual review tasks in connection  
22       with this engagement; is that correct?

1           A   No.   I think we started on March 7th.

2           Q   Well, referring to your work plan, it  
3 looks like the actual review itself, the review  
4 of data and setting up internal testing, et  
5 cetera, started on March 13th; is that correct?

6           A   You're looking down here.   Okay.   Yeah, I  
7 think that was -- that's correct.

8           Q   And so this conference call took place the  
9 day before the actual review itself commenced; is  
10 that correct?

11          A   Yeah, that's correct.

12          Q   Can you turn to Page 5 of the agenda.   Was  
13 this agenda prepared by somebody at Anderson  
14 Consultant?

15          A   Yeah, it was a joint effort of our team.  
16 We had teams that addressed each of the areas.  
17 So we put it together, yes.

18          Q   On Page 5, you have identified some items  
19 that are labeled deliverables.   Can you tell me  
20 what that means in Anderson vernacular?

21          A   These would be projects, work products.

22          Q   So this -- the purpose of this Page 5 of

1 Exhibit 18 was to identify the work product that  
2 Anderson Consulting would deliver in connection  
3 with the engagement; is that correct?

4 A Yeah. At this point in time, those were  
5 the intended work products, that's correct.

6 Q Isn't it true that on March 12th, as  
7 identified on this Page 5, the work product to be  
8 delivered was for operational readiness an  
9 affidavit of operational readiness?

10 A That's what it says, yes.

11 Q And isn't it true that as it relates to  
12 capacity, the work product identified on March  
13 12th for capacity was an affidavit of  
14 satisfactory capacity?

15 A Right.

16 Q And isn't it true as it relates to  
17 interfaces the work product identified on March  
18 12th was an affidavit on conformance with  
19 standards?

20 A Right.

21 Q Now, you indicated earlier that it was a  
22 joint effort between the parties to determine

1        what materials would be reviewed in connection  
2        with Anderson's work; is that correct?

3            A    That's correct.

4            Q    Did you participate in the decision as to  
5        what materials would be reviewed?

6            A    Well, if it was a joint, yeah.

7            Q    Did you personally participate in that  
8        decision?

9            A    On most of it, yes.

10          Q    Did Anderson request from Ameritech any  
11        materials -- strike that.

12                Did Ameritech refuse to produce any  
13        materials that were requested by Anderson in  
14        connection with their review?

15          A    No.    Some took a while to get, but we  
16        generally got what we asked for.

17          Q    But, generally speaking, if Anderson  
18        Consulting wanted to see it, the materials were  
19        produced; is that correct?

20          A    Yes.

21          Q    In connection with the review that took  
22        place in the month of March, did Anderson

1 Consulting or any one of the members of the 34  
2 member Anderson team review any problem logs in  
3 connection with the operation of Ameritech's OSS?

4 A No.

5 Q Did you or any one of the 34 member  
6 Anderson team review the order testing problem  
7 log that was attached to Mr. Connolly's  
8 testimony?

9 A No.

10 Q Did you or any one of the 34 member  
11 Anderson team review the AIIS testing problem log  
12 that was attached to Mr. Connolly's testimony?

13 A No.

14 Q Did you or any one of the 32 member  
15 Anderson team review the resale bugs not fixed  
16 log attached to Mr. Connolly's testimony?

17 A No.

18 Q Did you or any one of the 34 member  
19 Anderson team review the issues general log that  
20 was attached to Mr. Connolly's testimony?

21 A No.

22 Q Did you or any one of the 34 member team

1 make any effort or ask anyone at Ameritech if  
2 problems with the OSS systems were tracked?

3 A As part of this too, operational  
4 readiness, we asked Ameritech to provide us with  
5 any data, including test data or whatever, that  
6 would show us that the systems had been tested,  
7 but those logs you mentioned were not the  
8 material that was provided to us.

9 Q My question was, did you or any one of the  
10 34 member Anderson consulting team ask Ameritech  
11 if they had any system by which they tracked  
12 problems they were experiencing with their OSS?

13 A No.

14 Q Did you or any one of the members of your  
15 Anderson consulting team ask any Ameritech  
16 employee if they maintained any logs of problems  
17 that Ameritech experienced with the OSS?

18 A Yeah. We asked about records of, you  
19 know, past things that were faxed in production.  
20 We could review live usage and internal testing  
21 and wondered about things that had been fixed  
22 historically. And the people we asked were not



1       able to provide us with those.

2               Q   Who did you ask?

3               A   Some people that worked in the AIIS  
4       organization. I don't remember their names off  
5       the top.

6               Q   Did you ask Mr. Owczurak if he was aware  
7       of any of those materials?

8               A   He's one of the people we worked closely  
9       with, yes.

10              Q   And isn't it true that Mr. Owczurak, in  
11       fact, maintains the problem logs Mr. Connolly  
12       attached to his testimony?

13              A   I don't know who maintains them.

14              Q   And when you asked Mr. Owczurak if he had  
15       any materials or data about problems, what did he  
16       respond?

17              A   He gave us the testing results.

18              Q   Again, did you ask Mr. Owczurak  
19       specifically if he had any materials or data  
20       about problems that Ameritech was experiencing  
21       with the OSS?

22              A   I did not. My team members who were